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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,638	04/05/2001	Craig T. Compton		3964

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EXAMINER

CULLER, JILL E

ART UNIT PAPER NUMBER

2854

DATE MAILED: 10/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/826,638

Applicant(s)

COMPTON ET AL.

Examiner

Jill E. Culler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 14 July 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 9, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,909,148 to George in view of German Patent DE3939368 to Paarmann.

With respect to claims 1 and 9, George shows a flexographic printing press, 20, comprising a central impression cylinder, 28, having an outside surface adapted to support a web during printing, an unwind apparatus, 22, adapted to unwind a web to be printed on the central impression cylinder, means, 27, 29, for guiding a web between the unwind apparatus and the central impression cylinder and providing an upstream entry point to the central impression cylinder, a rewind apparatus, 54, adapted to rewind a printed web, means, 44, for guiding a web between the central impression cylinder and the rewind apparatus and providing a downstream exit point from the central impression cylinder, and a plurality of printing decks, 30, 32, 34, positioned around the outside surface of the central impression cylinder, including an upstream printing deck, 30, adjacent the upstream entry point and a downstream printing deck, 34, adjacent the downstream exit point.

George does not teach that each of the printing decks includes a plate cylinder for applying solvent based or water based ink to a web on the central impression cylinder, that there is at least one between color dryer positioned between each pair of adjacent printing decks, a downstream dryer positioned between the downstream printing deck and the downstream exit point for drying a web on the central impression cylinder, with the dryers each including a heat source for heating air which is directed by the dryer to a web which is supported by the central impression cylinder, or that there is no dryer between the exit point from the central impression cylinder and the rewind apparatus.

Paarmann teaches a flexographic printing machine with a central impression cylinder, 1, a plurality of printing decks, 3, each including a plate cylinder, 6, for applying ink to a web on the central impression cylinder, at least one between color dryer, 7, between each pair of adjacent printing decks and between the downstream printing deck and a downstream exit point, each dryer having a heat source for heating air which is directed by the dryer to a web which is supported by the central impression cylinder. It should be noted that, because Paarmann teaches drying with an air-type dryer it is inferred that the ink used is of a solvent-based or water-based formulation. Also, Paarmann discusses drying after each printing deck and does not indicate any need for additional drying downstream of the exit point from the dryer.

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify George by substituting the printing decks and dryers of

Paarmann in order to be able to dry sections of the web between each of multiple printing steps.

With respect to claim 11, George does not teach that the upstream entry point to the central impression cylinder is adjacent the bottom of the press and the downstream exit point from the central impression cylinder is adjacent the bottom of the press. However, it would be obvious to one having ordinary skill in the art to position the exit points in any configuration since such a modification appears to be nothing more than the mere shifting of the location of parts that does not substantially alter then functioning of the device. One having ordinary skill in the art would recognize that it would be obvious to position the upstream entry point to the central impression cylinder and downstream exit point from the central impression cylinder adjacent to the bottom of the press in order to accommodate the design of the facility in which the press is installed and the location of auxiliary equipment interacting with the impression cylinder.

With respect to claim 12, George shows a nip roll, 29, mounted adjacent the upstream exit point to the central impression cylinder and a roll, 44, mounted adjacent the downstream exit point from the central impression cylinder.

3. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over George, in view of Paarmann, as applied to claims 1 and 9 above, and further in view of U.S. Patent No. 5,483,886 to Hauer.

George and Paarmann teach all that is claimed, as in the above rejection of claim 1, except that the means for guiding a web between the central impression cylinder and

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the rewind apparatus includes an air turning bar adjacent to the exit point from the central impression cylinder.

Hauer teaches an air turning bar for use in guiding a web. See column 4, lines 48-50.

It would have been obvious to one having ordinary skill in the art at the time of the invention to use the air turning bar of Hauer to guide the web of George, as modified by Paarmann, adjacent to the exit point from the central impression cylinder in order to be able to guide the web without contacting the bar to eliminate the chance of smearing the freshly printed web.

4. Claims 5-8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over George in view of Paarmann, as applied to claims 1 and 9 above, and further in view of U.S. Patent No. 6,176,184 to Mudry.

George and Paarmann teach all that is claimed, as in the above rejection of claim 1, except that the downstream dryer has a plurality of nozzle plenums, a plurality of heat sources and separate control means for each of these heat sources, that there is a second downstream dryer, or means for supplying unheated air to a nozzle plenum for directing air against the web whereby cold air is directed by the nozzle plenum against the web.

Mudry teaches a dryer having a plurality of nozzle plenums, a plurality of heat sources and a separate control means for each of these heat sources.

It would have been obvious to one having ordinary skill in the art at the time of the invention to construct the dryers of George, as modified by Paarmann, using the structure of Mudry in order to more effectively dry the printed web.

With respect to claims 6-7 and 10, it should be noted that the addition of a second dryer is a mere duplication of parts not sufficient to patentably distinguish the claimed invention from the prior art since no new or unexpected results are apparent.

With respect to claims 8 and 10, it should be noted that as each heat source has a separate control means, it would be obvious to turn one of these off in order to provide unheated air to a nozzle plenum.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill E. Culler whose telephone number is (703) 308-1413. The examiner can normally be reached on M-Th 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

jec

  
ANDREW H. HIRSHFELD  
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